

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAMES JEFFERSON KENNER,

Plaintiff,

vs.

JUDGE JEROME M. POLAHA, et al.,

Defendants.

3:14-cv-00637-MMD-WGC

**ORDER**

On September 14, 2015, this court entered an order concerning Plaintiff's pending in forma pauperis application which was filed when Plaintiff was incarcerated. (ECF No. 4.)<sup>1</sup> The court noted that because Plaintiff had been released, he would need to submit a non-prisoner in forma pauperis application to proceed in this matter. (Id.) Plaintiff did not do so but instead submitted a partial filing fee of \$350.00. (ECF No. 5.)<sup>2</sup> Nevertheless, because Plaintiff's earlier in forma pauperis and proposed complaint did not promptly come to the court's attention, and because Plaintiff was an incarcerated person when he commenced his action, the court will accept Plaintiff's fee of \$350.00 as payment in full.

Because Plaintiff has paid his filing fee, the court will not screen Plaintiff's Complaint. The clerk is directed to file Plaintiff's Complaint (ECF No. 1-1) next in line. The Clerk shall use the Plaintiff's address as reflected on the docket. The Clerk shall also complete and issue summonses for named defendants Paloha (sic), Pusich and Champagne and shall send the same to Plaintiff along with one copy of his Complaint. It is Plaintiff's responsibility to arrange for personal service of the summons and

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<sup>1</sup> Refers to court's docket number.

<sup>2</sup> The fee for filing a civil action is \$400.00, which includes a \$50.00 administrative fee. The filing fee for an incarcerated individual is reduced to \$350.00.

1 complaint on each Defendant.

2 Plaintiff is further advised that pursuant to Fed. R. Civ. P. 4(m), he has 120 days from the date  
3 of the filing of his complaint to serve the defendants. If Plaintiff fails to serve any of the defendants  
4 within that time period, Plaintiff is advised that the action may be dismissed as to the defendant or  
5 defendants upon whom service was not effected.<sup>3</sup>

6 IT IS SO ORDERED.

7 DATED: October 28, 2015.

8   
9 WILLIAM G. COBB  
UNITED STATES MAGISTRATE JUDGE

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27 <sup>3</sup> Fed. R. Civ. P. 4(m) allows the court to extend the time limit for service if a plaintiff demonstrates “good cause”  
28 for not serving a defendant within 120 days.